

What to Expect During an EPA MS4 Audit

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Background

- EPA's Compliance Monitoring Strategy calls for
 - At least one activity to determine compliance every five years; and
 - An *on-site* audit or inspection at least once every seven years
- EPA's visits usually entail evaluation of an MS4's entire program for permit compliance (e.g. an audit)
- EPA occasionally relies on contractors to conduct audits
- The goal is always compliance

Audit Preparation - Shared Roles

- Audits are announced with advance notice
- EPA requests program documents to review before the audit
- You will get an agenda spanning 1-4 days
- Advance notice also gives the MS4 time to ensure program documents are accessible to the auditors

A typical MS4 audit agenda

1. General discussion about programmatic structure, players, and recordkeeping procedures
2. Interviews and records review for the six permit program areas:
 - i. Public Education and Outreach
 - ii. Public Participation and Involvement
 - iii. Illicit Discharge Detection and Elimination
 - iv. Construction Site Runoff Control
 - v. Post-construction / New Development and Re-development
 - vi. Pollution Prevention & Good Housekeeping
 - vii. Plus, any monitoring requirements in the permit
3. Field visits to evaluate effectiveness of program implementation

Records & Interviews

- EPA seeks to understand how you implement your MS4 program to meet permit requirements.
- Driving question: How can you demonstrate that you have done what you say you've done?
- The extent of on-site records review will depend in part on the depth of records shared in advance.
- EPA relies on a checklist that matches permit requirements.

Field Visits

- Is what's happening on paper happening on the ground?
- Focuses on visible features of the MS4:
 - a) Operations and maintenance facilities
 - b) Active construction site(s)
 - c) Post-construction BMPs
 - d) Drainage infrastructure
 - e) Known non-stormwater discharges
 - f) Outfalls & monitoring points
- Are potential sources of stormwater pollution being managed appropriately?
- Evaluate implementation of narrative effluent limitations

Best Practices for MS4s

- ✓ Record routine activities in SOPs, work practices, etc.
 - If you have a “plan” for a requirement per the permit, put it in writing
- ✓ Record non-routine activities (spills, illicit connections found/removed, training of new staff)
- ✓ Record what you did for one-time evaluations
 - (who, what, when, where, why)
- ✓ Criteria that must be met for a program in your MS4 should be captured in a checklist
- ✓ Make sure your SWMP is complete and accessible from one location

Best Practices continued

- ✓ Clearly articulate your legal or regulatory mechanisms for requiring action by others
- ✓ Keep inventories:
 - Maintenance stations
 - Storage sheds
 - Permanent structures and BMPs
 - Outfalls
 - Locations of non-stormwater discharges and spills
- ✓ Document training (who, what, when, where, why)
- ✓ Bottom line – THE PERMIT RULES!

Audit Follow-up

- EPA issues a report with findings, corrective actions and recommendations
- Any findings of deficiencies → Request to follow up with corrective actions

Questions?